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Mortgage Electronic Registration Systems, Inc.,  
a Delaware corporation

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.,  
Plaintiff,  
v.  
THERESA G. WHARTON, et al.,  
Defendant.

) CASE NO. 08-05152-JF  
}  
} STIPULATION TO CONTINUE  
} CASE MANAGEMENT CONFERENCE  
} AND PROPOSED ORDER

17 A Case Management Conference in the above-captioned matter is currently set for July  
18 10, 2009. Plaintiff and defendants United States and Franchise Tax Board, State of California  
19 have exchanged discovery and engaged in productive settlement negotiations.

Accordingly, the parties respectfully request that the Case Management Conference be continued until September 25, 2009 to permit further opportunity to resolve this matter. Any resolution would require authorization from the Civil Section of the Department of Justice, Tax Division and this continuance would allow this.

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**26**    // /  
**27**    // /  
**28**    // /

1 JOSEPH P. RUSSONIELLO  
2 United States Attorney

3 Dated: July 7, 2009

4 /s/ Blake D. Stamm  
5 BLAKE D. STAMM  
6 Assistant United States Attorney  
7 Tax Division  
8 Attorneys for United States of America

9 STEYER LOWENTHAL BOODROOKAS  
10 ALVAREZ & SMITH LLP

11 Dated: July 7, 2009

12 /s/ Lucas E. Gilmore  
13 LUCAS E. GILMORE  
14 Attorney for the Plaintiff

15 CALIFORNIA STATE ATTORNEY  
16 GENERAL'S OFFICE

17 Dated: July 7, 2009

18 /s/ Marguerite C. Stricklin  
19 MARGUERITE STRICKLIN  
20 Attorney for Defendant  
21 Franchise Tax Board,  
22 State of California

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2           **IN THE UNITED STATES DISTRICT COURT FOR THE**  
3           **NORTHERN DISTRICT OF CALIFORNIA**  
4           **SAN JOSE DIVISION**

5           **MORTGAGE ELECTRONIC**                                   ) CASE NO. 08-05152-JF  
6           **REGISTRATION SYSTEMS, INC.,**                         )  
7           **Plaintiff,**   )  
8           **v.**   )  
9           **THERESA G. WHARTON, et al.,**                         )  
10           **Defendant.**   )

) PROPOSED ORDER TO CONTINUE  
) CASE MANAGEMENT CONFERENCE  
) AND PROPOSED ORDER

11           In accordance with the parties' stipulation, the Case Management Conference is  
12           continued until September 25, 2009.

13           IT IS SO ORDERED.

14           Dated: July 8, 2009

15             
THE HONORABLE JEREMY FOGEL  
United States District Court Judge